

Notice of Allowability

Application No.

09/823,131

Examiner

Minh Dieu Nguyen

Applicant(s)

ELLISON ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 13, 2006.
2. ☒ The allowed claim(s) is/are 1-4, 6-7, 9-13, 15-20 and 24-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/20/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Schaal on 3/29/06.

2. The application has been amended as follows:

In claim 1

"a signature generator coupled to the file analyzer to receive both the scanning result and the scanned file and to produce a digital signature of the digital signature chain based on the scanning result and the scanned file, the digital signature chain is verified prior to accessing the incoming file and without the accompanying digital signature, access to the incoming file is precluded by the file analyzer; and"
has been changed to

--a signature generator coupled to the file analyzer to receive both the scanning result and the scanned file and to produce a digital signature of the digital signature chain based on the scanning result and the scanned file, the digital signature chain is verified prior to accessing the incoming file and access to the incoming file is precluded by the file analyzer unless the digital signature accompanies the incoming file; and—

In claim 11

“accessing the file if the verified digital signature chain indicates an acceptable file integrity.”

has been changed to

--accessing the file if the verified digital signature chain accompanies the file and indicates an acceptable file integrity.--

In claim 24

“a signature generator coupled to the file analyzer, the signature generator to produce a digital signature that is based on both the scanning result and the scanned file and is part of a digital signature chain, the digital signature chain being verified prior to accessing the file and without the accompanying digital signature chain, access to the file is precluded by the file analyzer.”

has been changed to

--a signature generator coupled to the file analyzer, the signature generator to produce a digital signature that is based on both the scanning result and the scanned file and is part of a digital signature chain, the digital signature chain being verified prior to accessing the file and access to the file is precluded by the file analyzer unless the digital signature chain accompanies the file.—

Allowable Subject Matter

3. This action is in response to the communication dated March 13, 2006.
4. Claims 1-4, 6-7, 9-13, 15-20 and 24-32 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The present invention is directed to a method and apparatus to check file integrity remotely. Each independent claim (claims 1, 11 and 24) identifies a signature generator producing a digital signature of the digital signature chain based on the scanning result and the scanned file; the digital signature is verified prior to accessing the incoming file and unless the digital signature accompanies the incoming file, access to the incoming file is precluded. The closest prior arts Spear (6,611,925), Garrison et al. (EP1069745 A1) and Walsh et al. (5,956,481) fail to anticipate or render the above limitations obvious.

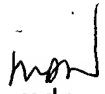
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


mdn
3/29/06